It was pointed out by Chief Justice Hughes in *Silas Mason & Company* v. *Tax Commission*,[6] "Our system of Government is a practical adjustment by which the national authority may be maintained in its full scope without unnecessary loss of local efficiency. In acquiring property, the Federal function in view may be performed without disturbing the local administration in matters which may still appropriately pertain to State authority * * *. The possible importance of reserving to the State jurisdiction for local purposes which involve no interference with the performance of governmental functions is becoming more and more clear as the activities of the Government expand and large areas within the States are acquired."

With growing frequency the Federal Government leaves largely unimpaired the civil and criminal authority of the State over national reservations or properties.[7] Numerous Federal statutes have been enacted which leave undisturbed the jurisdiction of the State over lands acquired for national uses.[8]

19. Where consent to purchase given, cession of jurisdiction not required.—It is not unusual for State statutes consenting to the purchase of land by the United States in terms of the Constitution, to go further and expressly cede jurisdiction to the United States. However, such additional provision is considered unnecessary and superfluous. With respect to lands acquired prior to February 1, 1940, jurisdiction vested ipso facto when the consent was unconditionally given and the land was purchased by the Government pursuant thereto.[9] As will be seen in the next succeeding chapter, there must be a formal acceptance of jurisdiction with respect to all lands acquired since February 1, 1940.

20. Consent to purchase may be implied: may be retroactive.—No precise or technical language is necessary for a State to surrender all or a part of its jurisdiction to the United States. It is sufficient if the language used clearly indicates the intention of the State to relinquish jurisdiction. In a case involving a Nevada statute, the Attorney General of the United States held that consent may be implied from the language used. In that case, the State had authorized the City of Reno to convey land to the Federal Government for a nominal consideration and "empowered,

---

[6] 302 U. S. 186, 58 S. Ct. 233.

[7] *Stewart & Co.* v. *Sadrakula*, 309 U. S. 94, 101, 60 S. Ct. 431.

[8] 26 Stat. 842 (1891) (receding to State of Arkansas jurisdiction to tax as personal property all structures and other property in private ownership on the Hot Springs Reservation); 30 Stat. 668 (1898) (jurisdiction receded to States over places purchased for branches of soldiers' homes); 49 Stat. 668, 16 U. S. C. Sec. 465 (1935) (waiver of Federal jurisdiction for historic sites); 49 Stat. 2025, 40 U. S. C. Sec. 421 (1936) (same for slum-clearance and low-cost housing projects; 49 Stat. 2035 (1936) (same for resettlement and rural rehabilitation); 50 Stat. 888, Sec. 13 (b), 42 U. S. C., Sec. 1413 (b) (1937) same for acquisitions of U. S. Housing Authority; 54 Stat. 1125, Lanham (Housing) Act approved Oct. 14, 1940.

[9] *Fort Leavenworth Railroad Co.* v. *Lowe*, 114 U. S. 525, 5 S. Ct. 995; *United States* v. *Tucker*, 122 Fed. 518; *In re Kelly*, 71 Fed. 545, *United States* v. *Wurtzbarger*, 276 Fed. 753; 6 Atty. Gen. 577; 7 Atty. Gen. 571; 7 Atty. Gen. 628.